UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,626	01/13/2005	Timo Vitikainen	855.0012.U1(US)	2021

29683   7590   09/27/2007
HARRINGTON & SMITH, PC
4 RESEARCH DRIVE
SHELTON, CT 06484-6212

EXAMINER
LENNOX, NATALIE

ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
09/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/521,626	VITIKAINEN ET AL.
	Examiner	Art Unit	
	Natalie Lennox	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *13 January 2005*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-18* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *13 January 2005* is/are: .a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All b) ☐ Some * c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *January 13, 2005*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.   Claims 4, 9, and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3.   Regarding claims 4, 9, and 14 the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Coffman et al. (US Patent 7,137,126).

        As per claim 1, Coffman et al. teach a method of operating a mobile device, the method comprising:

maintaining a profile of voice user interface capabilities associated with the device (Col. 15, lines 37-49);

storing an application having voice user interface features on the device or on a server in communication with the device (conversational aware applications 200 from Fig. 2, also Col. 9, lines 29-60);

examining at least part of the profile (conversational application and behavior/service manager 215 from Fig. 2, also defined in Col. 14, line 57 to Col. 15, line 28, wherein "such management functions include, for example, keeping track of which applications are registered, what are the dialog interfaces of the applications, and what is the state of each application." Also "conversational resource management."); and

using voice user interface features of the application which are appropriate to the profile and refraining from using inappropriate features (see Col. 9, lines 51-60).

As per claim 6, Coffman et al. teach a mobile device, comprising:

a storage device for maintaining a profile of voice user interface capabilities associated with the device (conversational resource manager 220 from Fig. 2, also Col. 15, lines 37-49);

a reader for examining at least part of the profile (conversational application and behavior/service manager 215 from Fig. 2, also defined in Col. 14, line 57 to Col. 15, line 28, wherein "such management functions include, for example, keeping track of which applications are registered, what are the dialog

interfaces of the applications, and what is the state of each application." Also

"conversational resource management."); and

an application runner arranged to run an application using voice user

interface features of the application which are appropriate to the profile and to

refrain from using inappropriate features (conversational application and

behavior/service manager 215 from Fig. 2, also defined in Col. 14, line 57 to Col.

15, line 28, "responsible for executing all the different functions needed to adapt

the UI (user interface) to the capabilities and constraints of the device,

application and/or user preferences.).

As per claim 11, Coffman et al. teach a system comprising:

a mobile device having voice user interface capabilities (client (local) from

Fig. 3, examples of client devices in Col. 17, lines 52-55); and

a server, capable of communicating with the mobile device (other

networked devices (e.g. server) from Fig. 3 in communication with client (local),

more specifically described in Col. 17, lines 12-40),

the server being arranged to examine at least part of a profile voice user

interface capabilities associated with the mobile device, and to run an application

using voice user interface features of the application which are appropriate to the

profile and to refrain from using inappropriate features (distributed conversational

protocols 300 from Fig. 3, also Col. 17, lines 16-30, and Col. 17, lines 41-55,

wherein the mobile device and the server may be part of a master/slave

conversational network configuration, and wherein using the appropriate features

of each device comes from their known registered capabilities).

As per claims 2 and 7, Coffman et al. teach a method and mobile device as claimed in claims 1 and 6, further comprising prior to the using step: initialising the application using information included in the profile (Conversational application and behavior/service manager layer 215 from Fig. 2, also Col. 14, line 57 to Col. 15, line 6)

As per claims 3, 8 and 13, Coffman et al. teach a method, mobile device and system, as claimed in claims 1, 6, and 11, in which the maintaining step includes maintaining information relating to any combination of vocabulary, dialogue, automatic speech recognition and text-to-speech synthesis capabilities (data files 17 from Fig. 1 (see Col. 9, lines 51-56) and conversational engines 18 from Fig. 1 and 208 in Fig.2 (see Col. 14, lines 42-47)).

As per claims 4, 9, and 14, Coffman et al. teach a method, mobile device, and system, as claimed in claims 1, 6, and 11, in which the maintaining step includes maintaining information relating to grammar capabilities, for example whether statistical or context free grammar capabilities are associated with the device (data files 17 from Fig. 1 (see Col. 9, lines 51-56)).

As per claims 5 and 10, Coffman et al. teach a method and mobile device as claimed in claim in claims 1 and 6, in which the using step includes referring to definitions forming part of the application, and using those definitions with at least part of the profile to determine which parts of the application are appropriate to the profile (conversational application and behavior/service manager 215 from Fig. 2, also defined in Col. 14, line 57 to Col. 15, line 28, "responsible for

executing all the different functions needed to adapt the UI (user interface) to the

capabilities and constraints of the device, application and/or user preferences.").

As per claim 12, Coffman et al. teach a system as claimed in claim 11, in

which the server comprises an initialiser, arranged to use information included in

the profile to initialise the application (Col. 17, lines 41-55, wherein the mobile

device and the server may be part of a master/slave conversational network

configuration with the profile features already registered in the distributed

conversational protocols 300.).

As per claim 15, Coffman et al. teach a system as claimed in claim 11, in

which the server is arranged to refer to definitions forming part of the application,

and to use these definitions with at least part of the profile to determine which

parts of the application are appropriate to the profile (distributed conversational

protocols 300 from Fig. 3, also Col. 17, lines 16-30, wherein the mobile device

and the server may be part of a master/slave conversational network.).

As per claim 16, Coffman et al. teach a method of testing the compatibility

of an application with a mobile device, the method comprising:

maintaining a profile of voice user interface capabilities associated with

the device (conversational resource manager 220 from Fig. 2 defined in Col. 15,

lines 37-49);

controlling an emulator to emulate the voice user interface features of the

device using at least part of the profile (Col. 3, line 57 to Col. 4, line 5, "emulating

similar calls and functionalities at the level of the conversational application

APIs."); and

running the application on the emulator (Col. 13, lines 58-67).

As per claim 17, Coffman et al. teach an apparatus for testing the compatibility of an application with a mobile device, the apparatus comprising:

a reader for reading at least part of a profile of voice user interface capabilities associated with the device (conversational application and behavior/service manager layer 215 from Fig. 2, also Col. 14, line 57 to Col. 15, line 6); and

an emulator for emulating the voice user interface features of the device using the at least part of the profile, and for running the application (Col. 3, line 57 to Col. 4, line 5, "emulating similar calls and functionalities at the level of the conversational application APIs." Also Col. 13, lines 58-67.).

As per claim 18, Coffman et al. teach an apparatus as claimed in claim 17, in which the profile is stored on the apparatus (Col. 9, lines 40-43, also conversational resource manager 220 from Fig. 2 defined in Col. 15, lines 37-49).

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7.   White et al. (US Patent 6,408,272) provides a distributed voice user interface system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natalie Lennox whose telephone number is

(571) 270-1649. The examiner can normally be reached on Monday to Friday
9:30 am - 7 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the
examiner's supervisor, Richemond Dorvil can be reached on (571)272-7602.
The fax phone number for the organization where this application or proceeding
is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from
the Patent Application Information Retrieval (PAIR) system. Status information
for published applications may be obtained from either Private PAIR or Public
PAIR. Status information for unpublished applications is available through
Private PAIR only. For more information about the PAIR system, see http://pair-
direct.uspto.gov. Should you have questions on access to the Private PAIR
system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-
free). If you would like assistance from a USPTO Customer Service
Representative or access to the automated information system, call 800-786-
9199 (IN USA OR CANADA) or 571-272-1000.

NL   09/24/2007

RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER